

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: ) Examiner: Koyama, Kumiko C.  
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 Zatloukal et al. ) Art Unit: 2887  
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 Application No.: 10/560,262 ) Confirmation No. 3358  
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 Filed: December 9, 2005 )  
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 For: EMULATED RADIO FREQUENCY )  
 IDENTIFICATION )  
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U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ASSERTION OF SMALL ENTITY STATUS**

Dear Sir:

Assignee, Varia LLC, is entitled to assert small entity status for the above-referenced patent application pursuant to 37 CFR 1.27 and requests that you amend your records in accordance with this assertion.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: November 12, 2008

/Linda S. Zachariah/

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